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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/544,730	08/23/2006	Hermann Rabe	30931/L50116	5305
4743 7590 05/17/2007 MARSHALL, GERSTEIN & BORUN LLP 233 S. WACKER DRIVE, SUITE 6300 SEARS TOWER CHICAGO, IL 60606			EXAMINER GORMAN, DARREN W	
			ART UNIT 3752	PAPER NUMBER
			MAIL DATE 05/17/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/544,730

Applicant(s)

RABE, HERMANN

Examiner

Darren W. Gorman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 August 2005 (preliminary amendment).
- 2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 August 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION****Examiner's Notes**

The examiner wishes to thank applicant's representative, James Zeller, for contacting the examiner on May 11, 2007 to bring to his attention an error made on the "Office Action Summary" of the office action mailed May 3, 2007. Specifically, the examiner had indicated that the shortened statutory period for reply was "2", rather than "3" months. Enclosed, please find a new office action summary indicating a three month shortened period for reply from the mailing date of this action, as well as the below detailed action, which is identical in substance to that mailed on May 3, 2007. Please note that the signed and initialed Information Disclosure Statements, referenced in paragraph 1 below, as well as the Notice of References Cited, mailed with the May 3, 2007 office action, have not been included again with this mailing.

***Information Disclosure Statement***

1. The IDS forms filed on August 5, 2005 and March 27, 2006 are hereby acknowledged and have been placed of record. Please find attached a signed and initialed copy of each PTO 1449.

***Specification***

2. The substitute specification was received on August 5, 2005 and is in compliance with 37 CFR 1.125. The substitute specification is therefore acknowledged and entered.

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*Drawings*

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. The following features are hereby noted as being omitted from the filed drawings, and must be shown or the features canceled from the claims (No new matter should be entered):

- The device including at least one seal disposed between the hose extension and the first mounting extension or between the second mounting extension and the third mounting extension, as recited in claims 3 and 13, and wherein the seal is a radially-acting O-ring, as recited in claims 4 and 14.
- The device wherein the hose extension is securely fastened to the connecting plug element by a securing element, as recited in claims 5 and 16, and wherein the securing element is a hose clamp, as recited in claims 9 and 17.
- The device being arranged on or in a cooking appliance, as recited in claims 8 and 20.
- The device including at least one first seal disposed between the hose extension and the first mounting extension and at least one second seal disposed between the second mounting extension and the third mounting extension, as recited in claims 10 and 15.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure

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number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency.

Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

#### ***Minor Claim Suggestions By Examiner***

4. The following change is recommended to improve clarity of the claims. The claims have been examined on the merits including the suggested change below:

In claim 1, on line 5, --of the shaft section-- should be inserted between “from the outside” and “into the shaft section”.

#### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams, USPN 4,171,169, in view of Porta et al., USPN 3,973,791.

Williams shows a hand-held sprayer (see Figures 1 and 3) for use with a hose extension (26), the sprayer including a liquid dispensing section (20, 36, 34) and a “male” connecting end (52), which is expressly disclosed as being connectable with the hose extension by means of a fluid coupling (32) “in a manner as is conventional” (see column 3, lines 53-56). Williams further discloses that the conventional fluid coupling (32) is “preferably being of the quick connect type” (see column 3, lines 25-26).

However, the inventive concepts of the Williams device reside in the structure of the liquid dispensing section of the hand-held sprayer, rather than with the details of the conventional quick connect fluid coupling, which connects the hose extension to the hand-held sprayer. Thus, Williams is silent as to the coupling comprising an at least partially hollow shaft section, a fastening element, and a hollow connecting plug element, and the details thereof as set forth in applicant’s claims.

Porta (see Figures 1-5) shows a conventional quick connect type fluid coupling (10) having a downstream “female” connecting end (52), the coupling comprising: a hollow shaft section (14); a fastening element (18); and a hollow connecting plug element (12) for connecting a hose extension (22) to the shaft section, wherein the plug element is arranged within the shaft section and is fastened by the fastening element through at least one opening (58, 60) from the outside of the shaft section into the shaft section, and wherein the connecting plug element has a first mounting extension (32) for connecting the hose extension with the plug element, a second mounting extension (region indicated with reference numbers 38, 42 and 44) for connecting the plug element with the shaft

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section and a groove (30) running circumferentially around an outer periphery of the plug element which the fastening element engages when the plug element is fastened to the shaft section (see Figure 4; and column 4, lines 30-44), and wherein the second mounting extension has the shape of a hollow tube that can be mounted to a third mounting extension (50, 54) in the shaft section formed in one piece with the shaft section. It should be noted, any region of the shaft section of Porta that is “formed in one piece” with the shaft section and abuts against the second mounting extension (38, 42, 44), such as the region where reference numbers “50” and “54” are located in Figure 3, reasonably reads on the recited “third mounting extension”. Further, Porta shows the first mounting extension (32) being a tube extension having a reduced diameter relative to the remaining portions of the plug element (see Figure 1), the first mounting extension being mounted to the hose extension. Also, Porta shows a securing element (70) that securely fastens the hose extension to the connecting plug element. As to the securing element being a “hose clamp”, Porta discloses that securing element (70) is “compacted onto the exterior surface” of the hose (22) “with conventional crimping or swaging presses” (see column 6, lines 5-9), thus reasonably reading on a “hose clamp”. Still further, Porta shows the fastening element comprising a U-shaped element (64) with two arms (66), each of which engage opposite sides of the groove (30) of the plug element (12). As to the fastening element being a “spring steel insert”, Porta discloses that the fastening element is advantageously “fabricated from steel” (see column 5, lines 41-43), thereby providing “necessary resiliency” for the arms, thus reasonably reading on a “spring steel insert”. Porta further discloses that the quick connect type fluid coupling “can be easily

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assembled as well as disassembled”, and is “durable in construction” and “reliable in operation” (see column 7, lines 63-66).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to replace the “conventional” but non-descript quick connect fluid coupling of the hand-held sprayer disclosed by Williams, with the quick connect type fluid coupling as taught by Porta, in order to provide a quick connect fluid coupling that is easy to assemble as well as disassemble, and which is durable in construction and reliable in operation.

As to the “at least one seal”, “at least one first seal” and “at least one second seal” recitations of claims 3, 4, 10 and 13-15, Porta does expressly show at least one radially-acting O-ring seal (62, 62a) disposed between the second mounting extension and the third mounting extension, however Porta is silent as to providing a seal between the hose extension and the first mounting extension.

The examiner takes Official Notice that it is old and well known in the art to place at least one sealing element between two intimately connected fluid conveying conduit members in order to assure that fluid does not leak from the connection. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to place a sealing element between the hose extension and the first mounting extension of the device of Williams, as modified by Porta, in order to assure that fluid does not leak from the connection.

As to the sprayer being “arranged on or in a cooking appliance”, as recited in claims 8 and 20, Williams discloses that the hand-held sprayer is “portable” and is for “washing” (see column 2, lines 43-44). Further, it is well known that cooking appliances



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get dirty from regular use. Since the hand-held sprayer of Williams is clearly capable of being placed on or in a cooking appliance, should a user desire to do so, for example, to clean the cooking appliance, it therefore would have been obvious to one having ordinary skill in the art at the time the invention was made to arrange the hand-held sprayer of Williams, as modified by Porta, on or in a cooking appliance, in order to facilitate cleaning of the cooking appliance, as desired by the user.

### ***Conclusion***


7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patents to Goward et al., Paul et al., Murken, Long et al., and Rautureau, and US Patent Application Publication to Brattoli et al., are cited as of interest.

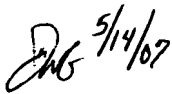
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Darren W. Gorman whose telephone number is 571-272-4901. The examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Shaver can be reached on 571-272-4720. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Darren W Gorman  
Examiner  
Art Unit 3752

  
DWG  
May 14, 2007